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Docket No. 1946/1A484-US6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Noemi B. Santiago et al.

For: COMPOSITIONS FOR THE DELIVERY OF ANTIGENS

CONTINUING APPLICATION

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

This is a request for filing under 37 C.F.R. 1.53(b) of a Continuation application of the following pending prior application:

Serial No.

09/862,013

Filed:

May 21, 2001

Of:

Noemi B. Santiago et al.

For:

COMPOSITIONS FOR THE DELIVERY OF ANTIGENS

Examiner:

M:\1946\1A484\00014925.WPD [*19461A484*]

L. Channavajjala

Group:

1615

1. Enclosed is a copy of the prior application as originally filed (along with a copy of the <u>original Declaration</u>). No amendments identified in the





US. Patent No. 5,792,451; and (c) U.S. Application Serial No. 08/231,622, filed April 22, 1994, now U.S. Patent No. 5,629,020. These prior applications are hereby incorporated herein by reference, in their entirety,

- 6. The prior application is assigned to: **Emisphere Technologies Inc.**
- 7. The Assignment was recorded at Reel <u>7538</u> Frame <u>0558</u> on <u>May 10, 1995;</u> and Reel <u>8096</u>, Frame <u>0830</u> on <u>August 19, 1995</u>.

Date: June 19, 2003

Respectfully submitted,

Jay P. Lessler

Reg. No. 41,151

Attorney of Record in Prior

Application

DARBY & DARBY P.C. Post Office Box 5257 New York, NY 10150-5257 212-527-7700 declaration for this prior application introduced new matter. Please use this copy as the application and declaration for the present case.

- 2. Drawings as filed, (3 Sheets, 3 Figures).
- 3. The filing fee is calculated below:

CLAIMS AS FILED, AFTER ACCOMPANYING AMENDMENT

	Claims on File	Number Extra	Rate
Basic Fee			\$750.00
Total Claims	22 - 20 =	2 x \$18	\$36.00
Independent Claims	4 - 3 =	1 x \$84	\$84.00
If Multiple Dependent Claims Are Present, Add \$280.00			\$0.00
Total Filing Fee			\$870.00

- 4. A check in the amount of \$870 is enclosed.
- 5. Amend the specification as follows. On page 1, after the title, add the following paragraph (check one and fill in):

This is a continuation of U.S. Application Serial No. <u>09/862,013</u>, filed, <u>May 21, 2001</u>, which is a continuation of U.S. Application Serial No. <u>09/346,971</u>, now abandoned; which is a continuation of U.S. Application Serial No. <u>08/438,644</u>, filed <u>May 10, 1995</u>, now U.S. Patent No. 5,958,457; which is a continuation-in-part of (a) U.S. Application Serial No. <u>08/335,147</u>, filed <u>October 25, 1994</u>, now abandoned; (b) PCT Application Serial No. <u>PCT/US94/04560</u> filed <u>April 22, 1994</u>; which is a continuation-in-part of U.S. Application Serial No. <u>08/051,019</u>, filed <u>April 22, 1993</u>, now U.S. Patent No. 5,451,410; and of U.S. Application Serial No. <u>08/205,511</u>, filed <u>March 2, 1994</u>, now

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